Clerk's Note: Technical corrections have been made to this Bill following enactment. A list of these changes is noted following the signature page.

	COR	RECTED CO	PY
Bill No.	7-24		
Concerning: L		nant Relation	<u> 18 –</u>
Tenant Pro	otection and	d Notification	
Revised: 7/1	6/2024	_ Draft No	7
Introduced:	March 5, 2	2024	
Enacted:	July 16, 2	024	
Executive:	July 25, 20	024	
Effective:	October 2	4. 2024	
Sunset Date:		,	
Ch. 10 , Lav	ws of Mont.	. Co. 2024	

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council Vice President Stewart Co-Sponsors: Councilmembers Balcombe, Sayles, Katz, Mink, Albornoz, Jawando, Glass, and Council President Friedson

AN ACT to:

- (1) require a residential lease to include certain information related to insurance, automatic sprinkler system, and emergency safety plan;
- (2) require the 24-hour availability of a building representative during certain emergency situations;
- (3) require notification of essential service disruptions in a rental building;
- (4) require an emergency safety plan and approval of the plan by the [[Department of Housing and Community Affairs]] Department of Permitting Services; and
- (5) generally amend the law regarding landlord-tenant relations in the County.

By amending

Montgomery County Code <u>Chapter 22, Fire Safety Code</u> <u>Section 22-74</u>

Chapter 26, Housing and Building Maintenance Standards Section 26-7

Montgomery County Code Chapter 29, Landlord-Tenant Relations Sections 29-27, 29-30, and 29-31

[[By adding

Montgomery County Code Chapter 29, Landlord-Tenant Relations Section 29-35F]] **Boldface** *Heading or defined term.*

<u>Underlining</u> *Added to existing law by original bill.*[Single boldface brackets]

**Deleted from existing law by original bill.

Double underlining Added by amendment.

[[Double boldface brackets]] Deleted from existing law or the bill by amendment.

* * Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

1	Sec.	1. Sections <u>22-74,</u> 26-7, 29-27, 29-30, and 29-31 are amended [[and 29-
2	35F is add	ed]] as follows:
3	26-7.	Light, ventilation and heating, temperature control.
4		* * *
5	(f)	Temperature control – air conditioning in rental housing.
6		* * *
7		(2) Except as provided in paragraph (3), between June 1 and
8		September 30:
9		(A) Each owner of rental housing where <u>the</u> cooling is not under
10		the control of the tenant must maintain a temperature of no
11		more than 80 degrees Fahrenheit (80° F.) in each habitable
12		space at a distance of 3 feet above floor level[; and].
13		(B) Each owner of rental housing where the cooling is under the
14		control of the tenant must provide an air conditioning
15		system capable of maintaining a temperature of no more
16		than 80 degrees Fahrenheit (80° F.) in each habitable space
17		at a distance of 3 feet above floor level.
18		(C) An owner of rental housing must provide a tenant an
19		emergency phone number to directly contact a
20		representative, with 24-hour access to adjust the thermostat,
21		if the cooling system is incapable of maintaining the
22		temperature required under paragraph (2)(A) and (2)(B) of
23		this subsection.
24	29-27.	Contents of lease.
25		* * *
26	<u>(x)</u>	Contain a statement that a property or liability insurance policy purchased
27		by the landlord does not provide coverage for the personal belongings of

28		a tenant and the statement must specify whether the tenant is required to			
29		obtain renter's insurance under the terms of the lease agreement. The			
30		statement must be acknowledged by each tenant with a signature or			
31		<u>initials</u> .			
32	<u>(y)</u>	Provide information about whether the building is fully protected by an			
33		automatic sprinkler system.			
34	<u>(z)</u>	Contain an emergency safety plan for a multifamily building approved			
35		by the Department of Permitting Services under Section [[29-35]] 22-74.			
36		* * *			
37	29-30.	Obligations of landlords.			
38	(a)	Each landlord must reasonably provide for the maintenance of the health,			
39		safety, and welfare of all tenants and all individuals properly on the			
40		premises of rental housing. As part of this general obligation, each			
41		landlord must:			
42		* * *			
43		(13) Prepare and maintain an emergency safety plan in compliance with			
44		Section [[29-35F]] <u>22-74.</u>			
45	29-31.	Landlord notice requirements.			
46	(a)	Each landlord of an apartment complex in the County must:			
47		(1) post a durable notice in an accessible, conspicuous and convenient			
48		place in each building to which the notice applies; or			
49		(2) distribute the notice directly to all tenants.			
50		The notice must contain the name or title and telephone number of at least			
51		one responsible representative of the building management who may be			
52		reached [at all times in an emergency] 24 hours a day, 7 days a week.			
53	(b)	A landlord renting any dwelling unit that is not located in an apartment			
54		complex must give the lessee the name, title and telephone number of at			

55		least	one responsible representative of the landlord who may be reached				
56		[at all times in an emergency] 24 hours a day, 7 days a week.					
57		* * *					
58	<u>(d)</u>	<u>Notij</u>	fication of building-wide outages, maintenance, and repairs. A				
59		landl	lord must provide notice to all tenants if an apartment complex has				
60		any s	scheduled or unscheduled building-wide outage, maintenance, repair,				
61		<u>or di</u>	or disruption of essential services related to the following:				
62		<u>(1)</u>	(1) electricity;				
63		<u>(2)</u>	<u>(2)</u> <u>water;</u>				
64		<u>(3)</u>	<u>heat;</u> [[or]]				
65		<u>(4)</u>	<pre>power generator[[.]]; or</pre>				
66		<u>(5)</u>	elevator.				
67	<u>(e)</u>	Contents of the notice.					
68		<u>(1)</u>	A notice required under subsection (d) must be sent at least 7 days				
69			before a scheduled service interruption; or				
70		<u>(2)</u>	in the absence of an emergency, at least [[within]] 24 hours [[of]]				
71			before an unscheduled service interruption[[, if feasible]]; and				
72		<u>(3)</u>	contain the following:				
73			(A) the date of proposed scheduled work or service interruption;				
74			(B) the estimated time of repair; and				
75			(C) <u>information regarding the communication method that will</u>				
76			be used to provide updates about service interruption until				
77			the issue is resolved.				
78	<u>(f)</u>	<u>Posti</u>	ing and electronic delivery of notice. The landlord must:				
79		<u>(1)</u>	post the notice in an accessible, conspicuous, and convenient				
80			location in the building; and				
81		<u>(2)</u>	if feasible, send electronically to all tenants either by:				

82			<u>(A)</u>	email;
83			<u>(B)</u>	text message; or
84			<u>(C)</u>	online tenant portal.
85	[[<u>29-35F.</u>]]	22-74.	Fire s	safety instructions.
86				* * *
87	<u>(c)</u>	Emer	gency	safety plan for multifamily rental building — required.
88		<u>(1)</u>	<u>Defin</u>	itions. For purposes of this Section:
89			<u>Depa</u>	rtment means the Department of Permitting Services.
90			<u>Direc</u>	etor means the Director of the Department or the Director's
91			desig	nee.
92			<u>Emer</u>	gency safety plan means a plan approved by the Department
93			in acc	cordance with this Section.
94		<u>(2)</u>	<u>Emer</u>	gency safety plan - requirements.
95			<u>(A)</u>	Each landlord of a multifamily dwelling must submit a
96				proposed emergency safety plan on a form prescribed by the
97				Director for review and approval by the Department.
98			<u>(B)</u>	Lease requirement. After the Department approves an
99				emergency safety plan, the landlord must include the plan
100				in each lease agreement as required under Section 29-27 and
101				must operate in accordance with the approved plan.
102			<u>(C)</u>	Frequency of plan. An emergency safety plan expires every
103				three years. A landlord is required to update its plan and
104				obtain a new approval from the Department to remain in
105				compliance with this Section.
106			<u>(D)</u>	Scope and contents of the plan. The [[landlord of a
107				multifamily dwelling must prepare and maintain an]]
108				emergency safety plan must [[that]], at a minimum, include:

109		[[<u>(1)</u>]] <u>i.</u>	an evacuation map;	
110		[[<u>(2)</u>]] <u>ii.</u>	the location of fire extinguishers;	
111		[[<u>(3)</u>]] <u>iii.</u>	the type of fire alarm system installed;	
112		[[<u>(4)</u>]] <u>iv.</u>	a point of contact or the type of communication that	
113			will be used by the landlord during and after the	
114			emergency;	
115		[[<u>(5)</u>]] <u>v.</u>	details regarding alternate housing when a tenant is	
116			displaced due to the building emergency; and	
117		[[<u>(6)</u>]] <u>vi.</u>	any other standards prescribed by the Director	
118			established by executive regulations.	
119		(E) Avail	ability of plan. A landlord must make available the	
120		emerg	gency safety plan to the County Fire & Rescue	
121		<u>Depa</u>	rtment, or any other emergency response personnel,	
122		<u>upon</u>	request.	
123	<u>(3)</u>	Established.	. The Department is authorized to review each	
124		emergency	safety plan submitted by a landlord of a multifamily	
125		rental buildi	ing in accordance with this Section.	
126	<u>(4)</u>	<u>Plan reviev</u>	w. Upon receipt of a plan, the Department may	
127		coordinate with other relevant departments to evaluate the		
128		adequacy of a plan. The Department must recommend approval or		
129		denial of the submitted emergency safety plan. A decision whether		
130		to approve of	or deny a safety plan under this Section must be based	
131		on the requi	rements developed under subsection (b) and executive	
132		regulations.		
133	<u>(5)</u>	<u>Reconsidera</u>	ation of plan after denial.	

134		<u>(A)</u>	Within 30 days after the Director issues a denial, a landlord
135			may file a request for reconsideration of an emergency
136			safety plan.
137		<u>(B)</u>	An alternative safety measure may be approved and
138			implemented if the Director determines that such measures
139			may provide equivalent or acceptable safety for a
140			multifamily building.
141	<u>(6)</u>	<u>Emer</u>	gency plan guidance for landlords. The Department, in
142		coord	lination with Department of [[Permitting Services (Division
143		<u>of</u> <u>F</u>	rire Prevention and Code Compliance)]] Housing and
144		Com	munity Affairs, and the County's Office of Emergency
145		Mana	agement and Homeland Security, and any other relevant
146		depai	tments, must develop and make publicly available for
147		landl	ords best practices for establishing an emergency safety plan.
148	[[(d)]] <u>(7)</u>	<u>Regu</u>	lations. The Executive must adopt Method (2) regulations to
149		imple	ement the requirements of this Section. The regulations must
150		inclu	de procedures for a landlord to submit and for the Director to
151		<u>consi</u>	der, review, and reconsider [[approve]] a proposed
152		emer	gency safety plan by a landlord.
153	<u>(8)</u>	<u>Incre</u>	ease calls for service – plan addendum required. If the
154		<u>Direc</u>	ctor receives a notification by Montgomery County Fire and
155		Resc	ue Services (MCFRS) of a multifamily property that has 10
156		or mo	ore calls for service for a fire-related emergency within a 12-
157		mont	h period, the Director may require the property owner to
158		subm	nit an addendum to the emergency safety plan under
159		parag	graph (2) of subsection (c).

160	<u>(9)</u>	The p	olan addendum, under paragraph (8), must be submitted by
161		the p	roperty owner and provide a step-by-step implementation
162		proce	ss to reduce fire-related calls for service. The Director may,
163		in co	onsultation with MCFRS, require certain action steps
164		includ	ded in the plan addendum.
165	<u>(10)</u>	<u>Time</u>	for submission. The property owner must submit the plan
166		adder	ndum within 60 days, after notification by the Director
167		under	paragraph (8). The Director must review the amended plan
168		withi	n 30 days of receipt from the property owner and decide
169		wheth	ner to approve or disapprove the plan. An amended plan
170		appro	ved by the Director must be implemented by the property
171		owne	r within 90 days after receipt of approval.
172	<u>(11)</u>	Recor	nsideration of plan addendum. If the plan addendum is not
173		appro	ved, the Director must provide an explanation of why the
174		plan y	was not approved and include alternative measures for the
175		prope	erty owner.
176	<u>(12)</u>	A pla	n addendum may include, at minimum:
177		<u>(A)</u>	efforts to hire security guards or additional building
178			personnel;
179		<u>(B)</u>	repair or replace faulty alarm systems;
180		<u>(C)</u>	facilitate opportunities for the County to provide outreach
181			and educational resources to residents regarding fire
182			safety;
183		<u>(D)</u>	contract with a vendor to provide outreach and educational
184			resources to residents regarding fire safety and prevention
185			of false alarms; or

186	(E) other fire alarm reduction strategies as determined by the
187	Director, in consultation with MCFRS.
188	Sec. 2. Transition. The requirements for an emergency safety plan under subsection
189	(z) of Section 29-27, paragraph (13) of Section 29-30, and [[Section 29-35F]] Section
190	22-74, added under Section 1 of this Act, must not be enforced, or take effect until
191	Method (2) regulations under [[Section 29-35F]] Section 22-74 are approved by the
192	County Council.

Approved:		
7 74 50 7-55	July 16, 2024	
Andrew Friedson, President, County Council	Date	
Approved:	July 25, 2024	
Marc Elrich, County Executive	Date	
This is a correct copy of Council action.		
Saint	July 25, 2024	
Sara R. Tenenbaum, Clerk of the Council	Date	

The following technical changes have been made to Bill 7-24:

- Comma removed after "thermostat" on line 20
- Comma removed after "tenants" on line 59
- Double brackets added before "landlord" on line 106
- Double brackets removed before "must" on line 107
- Comma added after "minimum" on line 108
- The word "measures" changed to "measure" on line 137
- Comma removed after "landlords" on line 149
- The word "of" was removed on line 169
- The word "alarms" changed to "alarm" on line 179
- Comma removed after "consultation" on line 187